

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

FILED
MAR 29 2012
[Signature]
OLENK

UNITED STATES OF AMERICA,

CR10-10046

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

RONALD DEAN KEATS,

Defendant.

The undersigned parties stipulate that the following facts are true and establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):

As of the spring of 2010, the defendant was employed by the United States Department of Health and Human Services, Indian Health Service, assigned to an office in the federal building in Aberdeen. In April of 2010, an employee reported finding a compact disc ("CD") in the elevator of the federal building, which contained images of child pornography as well as a document authored by the defendant. On May 18, 2010, pursuant to a court-authorized search warrant, an external (i.e., portable) computer hard drive and the defendant's federal government-issued laptop computer were seized from the defendant's office at the federal building in Aberdeen. Forensic analysis of the external hard drive found images of child pornography. Analysis of defendant's government-issued laptop computer provided a forensic link between the laptop and the external hard drive and the CD found in the building elevator.

Also on May 18, 2010, the defendant was interviewed while agents searched his home and office. During the interview, the defendant turned over to agents a CD case containing four CDs that

had been in his car. Two of the CDs contained images of child pornography. Analysis of the defendant's government-issued laptop computer also showed a forensic link between those CDs and the defendant's computer. During his interview with investigators, the defendant admitted to downloading pornography and saving such images to CDs, and conceded his belief that some of the children depicted in pornography that he downloaded appeared to be underage.

Many of the images of child pornography found on the CDs and external hard drive depicted identified minor children who reside outside South Dakota. The pertinent computer, external hard drives and CDs were manufactured outside the United States.

Accordingly, on May 18, 2010, at Aberdeen in the District of South Dakota, defendant Ronald Dean Keats knowingly possessed images of child pornography. The images had been mailed and shipped and transported in interstate and foreign commerce by any means, including by computer, and were produced using material that was manufactured outside the United States and had been mailed and shipped and transported in interstate and foreign commerce by any means, including by computer, all in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2256(8).

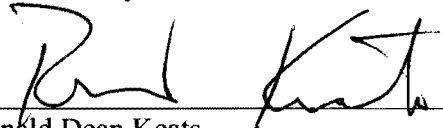
ANDREW G. OOSTERBAAN
CHIEF
Child Exploitation and Obscenity Section
Criminal Division
U.S. Department of Justice

3/21/12
Date

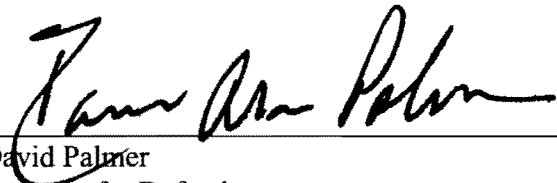
By:


Keith A. Becker
Trial Attorney

3/23/12
Date


Ronald Dean Keats
Defendant

3/22/12
Date


David Palmer
Attorney for Defendant